

Attorney's Docket No. 410077.P006

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Patent

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR A PATENT APPLICATION****INVENTORSHIP IDENTIFICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION***DISTRIBUTED SERVICE LEVEL MANAGEMENT FOR NETWORK TRAFFIC*****SPECIFICATION IDENTIFICATION**

the specification of which

_____ is attached hereto.
XX was filed on July 31, 2001 as
United States Application 09/920,335
or PCT International Application Number _____
and was amended on _____
(if applicable)

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

PRIORITY CLAIM (35 U.S.C. § 119(a)-(d))

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)Priority
Claimed

| <u>(Number)</u> | <u>(Country)</u> | <u>(Day/Month/Year Filed)</u> | <u>Yes</u> | <u>No</u> |
|-----------------|------------------|-------------------------------|------------|-----------|
| <u>(Number)</u> | <u>(Country)</u> | <u>(Day/Month/Year Filed)</u> | <u>Yes</u> | <u>No</u> |
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I hereby claim the benefit under title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

| | |
|-----------------------------|----------------------|
| <u>(Application Number)</u> | <u>(Filing Date)</u> |
| <u>(Application Number)</u> | <u>(Filing Date)</u> |

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
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| <u>(Application Number)</u> | <u>(Filing Date)</u> | <u>(Status - patented, pending, abandoned)</u> |
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POWER OF ATTORNEY

I hereby appoint Aloysius T. C. AuYeung, Reg. No. 35,432; Robert H. Chang, Reg. No. P48,765; Robert A. Diehl, Reg. No. 40,992; Jason K. Klindtworth, Reg. No. 47,211; Robert T. Watt, Reg. No. 45,890; Raymond J. Werner, Reg. No. 34,752, as my patent attorney/agent; with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

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COLUMBIA IP LAW GROUP, PC
10260 SW Greenburg Road, Suite 820
Portland, Oregon 97223

Aloysius T.C. AuYeung
503-595-2800

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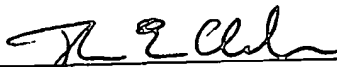
Full Name of Sole/First

Inventor:

Thomas E. Anderson

Inventor's

Signature:



Date:

11/8/01

Residence:

Seattle, Washington

Citizenship:

USA

(City, State)

(Country)

Post Office Address:

1201 18th Ave., East

Seattle, Washington 98112

Full Name of Joint/Second Inventor: Stefan R. Savage

Inventor's

Signature:

Date:

Residence:

Carlsbad, CA

Citizenship:

USA

(City, State)

(Country)

Post Office Address:

7595 Navigator Circle

Carlsbad, CA 92009

Full Name of Joint/Third Inventor: David J. Wetherall

Inventor's

Signature:

Date:

Residence:

Seattle, Washington

Citizenship:

USA

(City, State)

(Country)

Post Office Address:

6016 44th Ave. NE

Seattle WA 98115

Full Name of Joint/Fourth Inventor:

Inventor's

Signature:

Date:

Residence:

Citizenship:

(City, State)

(Country)

Post Office Address:

Full Name of Joint/Fifth Inventor:

Inventor's

Date:

Title 37, Code of Federal Regulations, Section 1.56
Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

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- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

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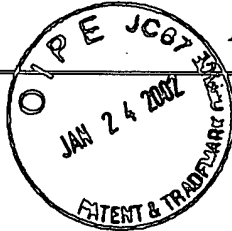
(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

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Full Name of Sole/First

Inventor: Thomas E. Anderson

Inventor's

Signature:

Date:

Residence:

Seattle, Washington

Citizenship:

USA

(City, State)

(Country)

Post Office

Address:

1201 18th Ave., East

Seattle, Washington 98112

Full Name of Joint/Second

Inventor:

Stefan R. Savage

Inventor's

Signature:

Date:

Residence:

Carlsbad, CA

Citizenship:

USA

(City, State)

(Country)

Full Name of Joint/Third Inventor: David J. Wetherall
Inventor's Signature: _____ Date: _____
Residence: Seattle, Washington Citizenship: USA
(City, State) (Country)
Post Office Address: 6016 44th Ave. NE
Seattle WA 98115

Full Name of Joint/Fourth Inventor: _____
Inventor's Signature: _____ Date: _____
Residence: _____ Citizenship: _____
(City, State) (Country)
Post Office Address: _____

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Inventor: Thomas E. Anderson

Inventor's Signature: _____ **Date** _____

Residence: Seattle, Washington **Citizenship:** USA
(City, State) (Country)

Post Office Address: 1201 18th Ave., East
Seattle, Washington 98112

Full Name of Joint/Second

Inventor: Stefan R. Savage

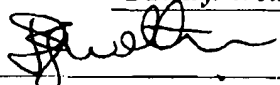
Inventor's Signature: _____ **Date** _____

Residence: Carlsbad, CA **Citizenship:** USA
(City, State) (Country)

Post Office Address: 7595 Navigator Circle
Carlsbad, CA 92009

Full Name of Joint/Third

Inventor: David J. Wetherall

Inventor's Signature:  _____ **Date** 11-8-2001

Residence: Seattle, Washington **Citizenship:** AUSTRALIA
(City, State) USA (Country)

Post Office Address: 6016 44th Ave. NE
Seattle WA 98115

Full Name of Joint/Fourth

Inventor: _____

Inventor's Signature: _____ **Date** _____

Residence: _____ **Citizenship:** _____
p: _____

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